

Message Text

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TO AMEMBASSY TOKYO
INFO AMEMBASSY ROME

UNCLAS STATE 181205

E.O. 11652: N/S

TAGS: BDIS, JA, IT

SUBJECT: TRADE COMPLAINT - TASCO TRADE MARK

1. THE LAW FIRM, BADER AND BADER, 274 MADISON AVENUE, NEW YORK 10016, ON BEHALF OF A TRADEMARK OWNER HAS REQUESTED THE DEPARTMENT'S ASSISTANCE IN ASCERTAINING AVENUES OF RELIEF WHICH MAY BE OPEN TO IT IN A TRADEMARK COMPLAINT.

2. THE TRADEMARK IN QUESTION, TASCO, IS AMERICAN OWNED AND REGISTERED IN THE U.S., JAPAN AND ITALY. THE TRADEMARK OWNER IS MANUFACTURING OPTICAL GOODS (TELESCOPES ETC.) UNDER THE TASCO MARK IN JAPAN. AN ITALIAN FIRM ALSO IS MANUFACTURING A SIMILAR LINE OF OPTICAL PRODUCTS IN JAPAN UNDER THE TRADEMARK TOSCO WHICH IT HAS REGISTERED IN JAPAN AND ITALY. THE AMERICAN FIRM CLAIMS THAT THE SIMILARITY IN THE ITALIAN-OWNED TRADEMARK, TOSCO, INFRINGES UPON THE TASCO MARK.

3. ACTION REQUESTED: THE EMBASSY IS REQUESTED TO CONTACT THE AMERICAN FIRM'S LEGAL REPRESENTATIVE IN JAPAN WITH THE UNCLASSIFIED

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VIEW TO OBTAINING THE COMPLETE FACTS IN THIS CASE AND

EVALUATING AND RECOMMENDING AVENUES OF RELIEF WHICH MAY BE OPEN TO THE AMERICAN FIRM. THE FIRM'S REPRESENTATIVE IS KUSABA & CO., MITSUI BUSSAN BUILDING, 2-9 NISHI-SHIM BASHI, 1-CHOME, MINATO-KU, TOKYO 105. THE EMBASSY IS REQUESTED,

IN PARTICULAR, TO DETERMINE WHETHER THERE ARE PROCEEDINGS WHICH THE AMERICAN FIRM MAY INSTITUTE WITH MITI TO PREVENT THE EXPORT OF PRODUCTS BEARING THE CONFLICTING ITALIAN-OWNED TOSCO TRADEMARK. AN EARLY EMBASSY RESPONSE WOULD BE APPRECIATED. THE EMBASSY MAY TAKE ANY OTHER ACTION ON BEHALF OF THE AMERICAN FIRM WHICH SEEM APPROPRIATE. KISSINGER

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